

VIRGINIA ALTERNATE ASSESSMENT PROGRAM

ADMINISTRATOR'S MANUAL



Fall 2004

THE VIRGINIA ALTERNATE ASSESSMENT PROGRAM ADMINISTRATOR’S MANUAL

A. USE OF THIS MANUAL

A.1 Overview of the Virginia Alternate Assessment Program (VAAP)	1
A.2 Description of Alternate Assessment.....	1
A.3 Description of the Performance Dimensions	3
A.4 Training and Technical Assistance	3
A.5 Selection of Students.....	4
A.6 Guidelines for Collecting Evidence	6

B. SPECIFIC DUTIES

B.1 Directors of Testing and Administrators of Special Education	7
B.2 Building Administrators.....	8
B.3 School Test Coordinators.....	9
B.4 Teachers	9
B.5 Other School Personnel.....	10

C. SUBMITTING THE COLLECTIONS OF EVIDENCE

C.1 Completing Collections of Evidence and Preparing for Shipping.....	11
Test Administrator Instructions	11
Student Demographic Information Sheet (SDIS)	11
Sample Carton Label	12
Division Director of Testing Instructions	12

APPENDICES

Appendix A: Division Affidavit.....	14
Appendix B: Federal and State Requirements	15
Appendix C: Directions for School Division Alternate Assessment Appeals	21
Appendix D: Did Not Assess (DNA) Code Descriptions for the Virginia Alternate Assessment Program	26
Appendix E: Required VAAP Forms	27

A. USE OF THIS MANUAL

The **Virginia Alternate Assessment Program (VAAP) Administrator's Manual** describes procedures to be followed prior to, during, and after the submission of 2004-2005 Collections of Evidence (COEs). This manual is intended to be an informational resource for assessment administrators, including principals, assistant principals, administrators of special education, and division directors of testing.

The Virginia Alternate Assessment Program is designed to evaluate the performance of students with disabilities who have traditionally been exempted from the statewide assessment systems, specifically the Standards of Learning (SOL) Assessments, and who are served in their school divisions under Individualized Education Programs (IEP) as required by the Individuals with Disabilities Education Act Amendments of 1997 (IDEA).

This manual includes the following information:

- Overview of the VAAP;
- Description of the performance dimensions;
- School division responsibilities for COEs;
- Administrator and teacher responsibilities and implementation requirements prior to, during, and after submission of COEs;
- Steps for organizing and returning COEs to Questar Educational Systems, the VAAP scoring contractor; and
- Federal and state requirements for alternate assessment (Appendices).

A.1 OVERVIEW VIRGINIA ALTERNATE ASSESSMENT PROGRAM (VAAP)

According to the Individuals with Disabilities Education Act (IDEA) of 1997, all students with disabilities are expected to be included in state- and district-wide assessments. They may participate in the SOL assessments with or without accommodations, **or** they may participate in an alternate assessment. The 2000-2001 school year was the first year that IDEA required that students with disabilities participate in the statewide assessment system through an alternate assessment.

A.2 DESCRIPTION OF THE ALTERNATE ASSESSMENT

The actual assessment consists of a **Collection of Evidence (COE)** that measures the student's performance on measurable IEP goals. The VAAP Collections are NOT the usual paper-and-pencil tests that most teachers and administrators associate with assessment. Rather they are student "products" demonstrating performance.

The COE will consist of multiple forms of data evidencing a student's performance. These data, referred to as types of evidence, may include work samples (including actual work or pictures of work); observations of the student; interviews with teachers, parents, and employers; videotapes of the student; anecdotal records or journal entries; and instructional data sheets. The teacher and other individuals who submit the COE will select the appropriate types of evidence.

The Collections of Evidence will be gathered starting in October 2004 and continued through spring 2005. Between March 10 and March 28, 2005, the Collections of Evidence must be shipped to the scoring contractor for scoring and reporting results.

Required Components of a Collection of Evidence*

The COE shall be contained in a two-inch three-ring binder with five dividers and will include the following items in sequence:

Divider One

- a) Administrative Support Documentation
- b) Assurance for Compiling Collections of Evidence
- c) Parent Validation Letter

Divider Two – English/Language Arts

- a) Completed Entry Cover Sheet
- b) Four to six types of evidence referencing the Standards of Learning in English/Language Arts (**linkage MUST reference a reading SOL**)

Divider Three – Mathematics

- a) Completed Entry Cover Sheet
- b) Four to six types of evidence referencing the Standards of Learning in mathematics

Divider Four – Science (Technology)

- a) Completed Entry Cover Sheet
- b) Four to six types of evidence referencing the Standards of Learning in science/technology

Divider Five – History/Social Sciences (Vocational Studies)

- a) Completed Entry Cover Sheet
- b) Four to six types of evidence referencing the Standards of Learning in history/social sciences/vocational studies

* Students resubmitting only specific content areas based on resubmission policies must submit Divider One materials and the specific content area(s) resubmitted.

A.3 DESCRIPTION OF THE PERFORMANCE DIMENSIONS

Each of the entries (one for each core area: English/Language Arts, mathematics, history/social sciences, and science) in the COE will be scored according to the following five performance dimensions:

1. Performance of IEP activities;
2. Performance of IEP activities that show access to and progress in the general curriculum based on the Standards of Learning in the four content areas;
3. Performance of IEP activities in a variety of settings with social interactions (degree to which students participate in integrated settings and extent of social interactions);
4. Performance of IEP activities in functional contexts (degree to which the student's activities are meaningful and age appropriate and skills are embedded across the student's day); and
5. Performance of IEP activities with supports for independence (use of appropriate supports required for the student to participate in the targeted activity).

A.4 TRAINING AND TECHNICAL ASSISTANCE

The Virginia Department of Education offered a series of workshops during August of 2004 across the state to help prepare school personnel to implement the VAAP. Division directors of testing, administrators of special education, and building level administrators were trained in the process of organizing and managing the VAAP on a divisional and school leadership level.

To assist in the collection of evidence, each division receives two-inch three-ring binders to provide to teachers. School divisions needing additional binders should contact the Questar VAAP Project Coordinator at 1-800-688-0120.

Parent training will be conducted through Parent Resource Centers in school divisions. Technical assistance and resource materials will be available through the Department of Education, Training/Technical Assistance Centers, and Parent Resource Centers.

A.5 SELECTION OF STUDENTS

The selection of students to participate in the VAAP is a responsibility of the IEP team. The IEP team must use the Participation Guidelines and consider current and historical documentation to make a decision for each student. The IEP team must consider the appropriateness of the SOL testing (with or without accommodations) or the Alternate Assessment for each student. Documentation may include, but is not limited to, evaluation data, school records, educational observations, anecdotal notes, previous IEPs, etc. The following reasons **ALONE** are **NOT SUFFICIENT** for decision making:

- Poor attendance;
- English as a second language;
- Social, cultural, and economic differences;
- Disruptive behavior;
- Student's reading level;
- Expectations of poor performance;
- Amount of time receiving special education services;
- Low achievement in general education;
- Categorical disabilities labels;
- Level of intelligence; or
- Place where the student receives services.

The IEP team is responsible for determining and documenting that the student meets **ALL** of the following criteria. If team members determine that the student **DOES NOT MEET** a criterion, this indicates the student is not a candidate for alternate assessment and should be reconsidered for appropriate participation in the SOL Assessment.

For all students:

- ❑ The student has a current IEP.
- ❑ The student demonstrates impairments that prevent completion of curriculum based on the SOL, even with program and testing accommodations.
- ❑ The student's present level of performance indicates the need for extensive direct instruction and/or intervention in a life skills curriculum that may include personal management, recreation and leisure, school and community, vocational, functional academics, communication, social competence, and motor skills to accomplish the application and transfer of life skills.
- ❑ The student requires intensive, frequent, and individualized instruction in a variety of settings to show progress and acquire, maintain, or generalize life and/or functional academic skills.

Additionally, for students in high school:

- ❑ The student is working toward educational goals other than those prescribed for a modified standard, standard, or advanced studies diploma program.

The IEP team must agree that the student meets the above participation criteria for that school year and will not participate in other statewide assessments. The participation decision will be stated on the IEP and supported by current and historical documents.

- No student may participate in both the Virginia Alternate Assessment Program and the Standard of Learning Assessments.
- A student may not earn a modified standard, standard, or advanced studies diploma unless he or she meets the established requirements; therefore, parents should be fully informed of this fact at the IEP meeting.

The Alternate Assessment will be given at the following grades:

Grade 3
Grade 5
Grade 8
Grade 11

Although the Alternate Assessment is given only four times during a student's school career, like the SOL Assessment, the Alternate Assessment reflects accountability for the entire school program. For this reason, the IEP team must consider this accountability in the years prior to or between assessments.

Superintendents Memo No. 2 from November 22, 2000, states that "students with disabilities must be included in either the SOL tests or the alternate assessment."

A.6 ASSURANCE FOR COMPILING COLLECTIONS OF EVIDENCE

Collection of Evidence Ownership

Students must have primary ownership of their Collections of Evidence. **At no time should a student's Collection of Evidence performances be characterized as teacher, peer, or parent authored. Teachers, parents, and peers may assume support roles as listeners, responders, and encouragers.**

In addition to ownership, the following cautions must be considered in assisting students with disabilities to develop their own COEs. Instructional staff responsible for compiling COEs should refrain from:

- **Fabricating, altering, or modifying student work samples, products, or data.**
- **Describing student behaviors that provide a negative image of the student.**
- **Including student performance information that is of a personal nature (i.e., toileting or bathing).**
- **Providing any accommodation/assistive device that is not a regular part of the student's daily instruction.**

Instructional staff are responsible for providing translations for student work completed in Braille. If translations are not provided, the Collections will be returned unscored to the appropriate divisions. Then upon receipt of the translated Collections, the scoring contractor will proceed with scoring, but reports may be delayed.

The teacher submitting the COE for the student must sign and assure scorers and the Commonwealth of Virginia that proper procedures have been followed as outlined in the Implementation Manual. COE submitted without teacher signatures will not be scored.

B. SPECIFIC DUTIES

Before implementing the alternate assessment, each administrator or coordinator should review this manual to become familiar with the responsibilities of all parties.

B.1. DIVISION DIRECTORS OF TESTING AND ADMINISTRATORS OF SPECIAL EDUCATION

The **division director of testing (DDOT)** serves as the contact person between the school division and the Virginia Department of Education for the VAAP. The director of testing will be responsible for ensuring that all procedures for submission of the Collections of Evidence and dissemination of reports required for the Alternate Assessment are implemented.

Division Directors of Testing (DDOTs) should:

- Play a key role in assisting administrators of special education in communicating information about the VAAP.
- Work closely with administrators of special education, principals, and assistant principals to determine schedules, formats, and return of COEs to the central office for shipping. COEs for the 2004-2005 school year must be shipped to Questar Educational Systems between March 10 and March 28, 2005. More information on packaging and shipping materials will be disseminated later to the directors of testing.

Administrators of special education play a crucial role in interpreting federal and state laws, regulations, and policies and in implementing the VAAP.

Administrators of special education should:

- Be familiar with IDEA and NCLB requirements regarding large-scale assessment and communicate these requirements to school personnel, including general and special educators.
- Identify professional development needs of special education and related services personnel and provide and/or coordinate training.
- Collaborate with Parent Resource Centers or Parent Education and Training Centers (PEATC) to ensure that appropriate training and materials are available to parents; and
- Assist directors of testing in ensuring that the VAAP is implemented according to established guidelines.

B.2 BUILDING ADMINISTRATORS

School principals and assistant principals are encouraged to become familiar with the purpose and procedures of the VAAP found in the *Virginia Alternate Assessment Implementation Manual*. The full text of the manual can be found on the Virginia Department of Education Web site at <http://www.pen.k12.va.us>. Also, it is recommended that building administrators review the alternate assessment requirements of the Individuals with Disabilities Education Act Amendments (IDEA) of 1997 and the No Child Left Behind (NCLB) Act of 2001 found in Appendix B of this document.

School administrators should:

- Review the Virginia Alternate Assessment Program Participation Guidelines to make informed decisions as an IEP team member and instructional leader of the school.
- Review the list of allowable accommodations for the SOL Assessments to exercise the range of options available for students with disabilities participating in the state assessment program.
- Be familiar with effective instructional practices for students with disabilities. Research shows that educational programs that provide instruction in a variety of settings including social interactions with nondisabled peers are more effective for lifelong learning. In addition, direct instruction in which embedded skills are taught in a natural context with age-appropriate materials leads to the application and transfer of life skills.
- Review IDEA requirements that all students, including those with disabilities, must have access to and show progress in the general curriculum. In Virginia, this refers to curricula based on the SOL for all students.
- Review and validate the contents of the COE and sign the Administrative Support Documentation [note any extenuating circumstances relating to the COE on the Administrative Support Document (i.e., late transfer, extended medical absences, etc.)]; and
- Ensure that the following components are signed and included in each COE for each student in your school: a signed Parent Validation Letter (or a completed Contact Log Sheet), a signed Assurance for Compiling Collections of Evidence, and a signed Administrator's Support Document.

B.3 SCHOOL TEST COORDINATORS

School test coordinators should serve as the liaison between the school and the division director of testing.

The school test coordinator should:

- Be responsible for disseminating the three-ring binders with dividers to the teachers. Additional binders will be sent to special education administrators upon request.
- Be responsible for ensuring teachers have submitted all COEs by the school division's due date; and
- Pack the school's COEs and arrange for delivery to the division director of testing.

B.4 TEACHERS

Teachers of students participating in the VAAP play a critical role in implementing instructional programs addressing IEP goals and assessing a student's annual performance.

Teachers of students participating in the VAAP should:

- Attend VAAP implementation training.
- Be responsible for writing or implementing the student's IEP and for offering guidance to the IEP team regarding the student's current level of abilities, skills, and social integration. This information is essential to the decision-making process for selecting an appropriate assessment for students.
- Ensure a parent signature is obtained on the Parent Validation Letter for each COE before submitting to the building administrator.
- Ensure parental permission is obtained for the use of photographs and video or audio recording in accordance with school division policies and procedures.
- Sign the Assurance for Compiling Collections of Evidence document and include a copy in EACH COE you are submitting; and
- Be responsible for obtaining an administrator's validation for each COE before submitting it to the school test coordinator by the date established by the school division.

B.5 OTHER SCHOOL PERSONNEL

The design of any COE must take into account the goals of the IEP, how the child is taught on a day-to-day basis, and the school personnel who are a part of that student's instruction. **Related services personnel** and **paraprofessionals** are important in the total educational experience for special education students. This does NOT mean the paraprofessional or related services providers design or assemble the Collection of Evidence. It DOES mean that the special education teacher may ask for assistance with instructional activities and data collection. Other school personnel who assist with the COE should sign the entry validation on the entry cover sheet.

Related services providers work very closely with students' teachers to assist students in all phases of learning. Although they may not see all students every day, it is appropriate to include service providers in selecting types of evidence that will be included in the COE.

Paraprofessionals play a significant role in many phases of instruction, including assisting the teacher. Because of the importance of students feeling comfortable in any setting that assesses their skills, enlisting the assistance of paraprofessionals with whom students are familiar is an excellent strategy in collecting types of evidence. Working as a team, the teacher, paraprofessional, and related services provider can design a COE that is most appropriate for the student and serves best to document performance of measurable IEP goals.

C. SUBMITTING THE COLLECTIONS OF EVIDENCE

C.1 COMPLETING COLLECTIONS OF EVIDENCE AND PREPARING FOR SHIPPING

Detailed instructions for packaging and shipping COEs will be provided prior to the return date. An overview of these procedures is described in this section.

Test Administrator Instructions

After the test administrator has collected and organized evidence of the student's performance, he/she should place the COE in a two-inch, three-ring binder (which was provided in the fall of this school year) that will prevent the loss of pages, photographs, or other documents. Student Demographic Information Sheets (SDIS) for recording demographic information will be provided to schools before the COEs are submitted to Questar Educational Systems. The test administrator must complete the Student Demographic Information Sheet as directed on an accompanying instruction sheet. The Student Demographic Information Sheet is being converted to a scannable document and will be provided in mid-February 2005, along with detailed instructions for its completion. **Do NOT** 3-hole punch the Student Demographic Information Sheet to place it inside the binder; it must be placed in the front overlay of the binder. All students qualified to participate in the 2004-2005 administration of the VAAP must submit a SDIS, whether or not they are submitting a COE for scoring. If, for some reason, a qualifying (grade 3, 5, 8, or 11) student is not submitting a COE for scoring, note the reason for non-submission on the SDIS under Section 17 and submit the empty binder and completed SDIS to Questar Educational Systems.

If a videotape or audiotape is included in the COE, it should be placed in the plastic insert that was provided with the binder and should include the following information on a self-adhesive label:

- student's name;
- student's number (if available);
- teacher's name;
- school name;
- school division; and
- school division number.

All captioned photographs should be identified on the back with the same information and placed in clear plastic covers for protection. Teachers should secure parental permission to use photos, videotapes, and audiotapes by following the division's policies and procedures. It is not necessary to submit parental permission for photos, videotapes, and audiotapes with the COE.

The school test coordinator (STC) should pack the COEs securely in a heavy shipping carton that will keep all materials intact. Cartons may be closed but sealed only in such a manner that will allow the DDOT to open them upon receipt. The COEs should be sent to the DDOT as directed in your local schedule.

Each carton should have written on a large label the name of the school, the school division, the school division number, the contents of the carton, the number of binders included in the carton, and the name of the school division's director of testing. In addition, the carton will be labeled "one of ____," "two of ____," etc.

Sample Carton Label

School Name:	<u>Happy Valley High School</u>
School Division:	<u>Happy Valley School Division</u>
School Division Number:	<u>(677)</u>
Contents:	<u>Alternate Assessments</u>
Number of Binders:	<u>12</u>
Director of Testing:	<u>S. W. Smith</u>
Carton	<u>1 of 3</u>

Division Director of Testing Instructions

The DDOT should ship the COEs between March 10 and March 28, 2005, to Questar Educational Systems. It is preferable that the Collections are returned early within that window. **An Alternate Assessment Division Affidavit (Appendix A), which certifies the authenticity of the division's Alternate Assessment, must be forwarded to the Department of Education by fax at (804) 371-8978 as soon as the division has returned COEs for scoring to Questar Educational Systems. A copy should be retained in the local school division.**

Questar will provide return materials and instructions to DDOTs before the COEs are to be submitted for scoring. Please save the boxes that contained the binders that were shipped to you in the fall of this school year. The boxes should be used to ship the Collections to Questar. **Unused binders should be returned to Questar at this time!**

Questar will score the COEs. Scores will be available with the same frequency and in the same detail as the SOL testing results. Teachers should contact the division director of testing or administrator of special education if there are questions. Directors of testing and administrators of special education should direct all questions to Nathan M. Sparks in the Division of Assessment and Reporting, (804) 225-3026 or Mrs. Sharon E. Siler in the Office of Special Education (804) 225-2711.

APPENDIX A: DIVISION AFFIDAVIT

<p style="text-align: center;">Virginia Alternate Assessment Program Collections of Evidence 2004-2005</p>

Division Name _____

Division Number _____

**The division director of testing, administrator of special education,
and superintendent of schools must complete this affidavit.**

**FAX this signed and dated form to the Department of Education at fax number
(804) 371-8978.**

AFFIDAVIT

I certify that, to my knowledge, each Collection of Evidence submitted for the Virginia Alternate Assessment Program followed all requirements and has been approved for scoring.

Division Director of Testing

Name: _____

Please print

Signature: _____

Date: _____

Administrator of Special Education

Name: _____

Please print

Signature: _____

Date: _____

Superintendent of Schools

Name: _____

Please print

Signature: _____

Date: _____

APPENDIX B: FEDERAL AND STATE REQUIREMENTS

Individuals with Disabilities Education Act Amendment of 1997 (IDEA) Statute

[Section 612(a) is amended to add the following requirements for state eligibility for assistance under Part B.]

(16) PERFORMANCE GOALS AND INDICATORS - The State--

- (A) has established goals for the performance of children with disabilities in the State that--
 - (I) will promote the purposes of this Act, as stated in section 601 (d); and
 - (ii) are consistent, to the maximum extent appropriate, with other goals and standards for children established by the State;
- (B) has established performance indicators the State will use to assess progress toward achieving those goals that, at a minimum, address the performance of children with disabilities on assessment, drop-out rates, and graduations rates;
- (C) will, every two years, report to the Secretary and the public on the progress of the State, and of children with disabilities in the State, toward meeting the goals established under subparagraph (A); and
- (D) based on its assessment of that progress, will revise its State improvement plan under subpart 1 of part D as may be needed to improve its performance, if the State receives assistance under that subpart.

(17) PARTICIPATION IN ASSESSMENT

- (A) IN GENERAL - Children with disabilities are included in general State and district-wide assessment programs, with appropriate accommodations, where necessary. As appropriate, the State and local education agency--
 - (I) develops guidelines for the participation of children with disabilities in alternate assessments for those children who cannot participate in State and district-wide assessment programs; and
 - (ii) develops and, beginning not later than July 1, 2000, conducts those alternate assessments.
- (B) REPORTS - The State educational agency makes available to the public, with the same frequency and in the same detail as it reports on the assessment of nondisabled children, the following:
 - (i) The number of children with disabilities participating in regular assessments.
 - (ii) The number of those children participating in alternate assessments.
 - (iii) (I) The performance of those children on regular assessments (beginning not later than July 1, 1998) and on alternate assessments (not later than July 1, 2000), if doing so would be statistically sound and would not result in the disclosure of performance results identifiable to individual children.
 - (II) Data relating to the performance of children described under subclause (I) shall be disaggregated--
 - (aa) for assessments conducted after July 1, 1998; and
 - (bb) for assessments conducted before July 1, 1998, if the State is required to disaggregate such data prior to July 1, 1998

Regulations Establishing Standards for Accrediting Public Schools in Virginia

8 VAC 20-131-30

Student achievement expectations

Beginning with the school year 2000-01, student with disabilities for whom participation in an alternate assessment is prescribed in their IEP shall demonstrate proficiency on that assessment.

8 VAC 20-131-280

Expectations for school accountability

2. In a manner prescribed by the Board, the evaluation of the performance of schools shall take into consideration: the percentage of those students with disabilities whose IEPs specify their participation in alternate assessment who attain a proficient level score.

Regulations Governing Special Education Programs (implementation date: January 2001)

8 VAC 20-80-10 “Alternate assessment” means assessment for children with disabilities who cannot participate in the state or division-wide assessment programs even with appropriate accommodations and modification.

“State assessment program” means the state assessment program in Virginia under the Individuals with Disabilities Education Act that is the component of the state assessment system used for accountability.

8 VAC 20-80-20 Responsibilities of VDOE

14. Demonstrate that children with disabilities are included in state and local assessment programs, with accommodations and modifications, or in an alternate assessment. Report to the public, with the same frequency and in the same detail as reports on assessments are issued for children without disabilities, the number of children with disabilities participating in regular and alternate assessments, and performance results on regular and alternate assessment, including both aggregated and disaggregated data.

8 VAC 20-80-62 Individualized Education Program

6. The following information concerning state and division-wide assessments shall be included:

a. A statement of any individual accommodations or modifications, in accordance with the guidelines approved by the Board of Education in the administration of state assessments of student achievement, that are needed in order for the child to participate in the assessment.

- b. If the IEP team determines that the child will not participate in a particular state assessment of student achievement (or part of an assessment), a statement of:
 - (1) Why that assessment is not appropriate for the child;
 - (2) How the child will be assessed, including participation in the alternate assessment for those students who meet the criteria for the alternate assessment; [and]
 - (3) How the child's nonparticipation in the assessment will impact the child's promotion; graduation with a modified standard, standard, or advanced studies diploma; or other matters.
- c. A statement that the child shall participate in either the state assessment for all children that is part of the state assessment program or the state's alternate assessment.
- d. A statement of any individual accommodations or modifications approved for use in the administration of division-wide assessments of student achievement that are needed in order for the child to participate in the assessment.
- e. If the IEP team determines that the child will not participate in a particular division-wide assessment of student achievement (or part of an assessment), a statement of:
 - (1) Why that assessment is not appropriate for the child;
 - (2) How the child will be assessed;
 - (3) How the child's non-participation in the assessment will impact the child's course, promotion, graduation with a modified standard, standard, or advanced studies diploma; or other matters.
- f. For students still participating in the Literacy Passport Testing Program, documentation that any decision to postpone or exempt the student for participation was reviewed during the IEP review or sooner.

No Child Left Behind Act of 2001 (NCLB) Statutes

***Excerpt from final rule published in Federal Register Vol.68, No.236 Dec. 9, 2003**

The Secretary amends part 200 of title 34 of the Code of Federal Regulations as follows:

PART 200—TITLE I—IMPROVING THE ACADEMIC ACHIEVEMENT OF THE DISADVANTAGED

1. The authority citation for part 200 continues to read as follows:

Authority: 20 U.S.C. 6301 through 6578, unless otherwise noted.

2. In § 200.1, revise paragraph (a)(1), redesignate paragraphs (d) and (e) as (e) and (f), and add new paragraph (d) to read as follows:

§ 200.1 State responsibilities for developing challenging academic standards.

(a) * * *

(1) Be the same academic standards that the State applies to all public schools and public school students in the State, including the public schools and public school students served under subpart A of this part, except as provided in paragraph (d) of this section;

* * * * *

(d) *Alternate academic achievement standards.* For students under section 602(3) of the Individuals with Disabilities Education Act with the most significant cognitive disabilities who take an alternate assessment, a State may, through a documented and validated standards-setting process, define alternate academic achievement standards, provided those standards—

(1) Are aligned with the State's academic content standards;

(2) Promote access to the general curriculum; and

(3) Reflect professional judgment of the highest achievement standards possible.

* * * * *

3. In § 200.6, revise paragraph (a)(2)(ii) and add new paragraph (a)(2)(iii) to read as follows:

§ 200.6 Inclusion of all students.

* * * * *

(a) * * *

(2) * * *

(ii)(A) Alternate assessments must yield results for the grade in which the student is enrolled in at least reading/language arts, mathematics, and, beginning in the 2007–2008 school year, science, except as provided in the following paragraph.

(B) For students with the most significant cognitive disabilities, alternate assessments may yield results that measure the achievement of those students relative to the alternate academic achievement standards the State has defined under § 200.1(d).

(iii) If a State permits the use of alternate assessments that yield results based on alternate academic achievement standards, the State must—

(A)(I) Establish and ensure implementation of clear and appropriate guidelines for Individualized Educational Program (IEP) teams to apply in determining when a child's significant cognitive disability justifies assessment based on alternate academic achievement standards; and

(2) Ensure that parents of those students are informed that their child's achievement will be based on alternate achievement standards; and

(B) Report separately, under section 1111(h)(4) of the ESEA, the number and percentage of students with disabilities taking—

(1) Alternate assessments based on the alternate academic achievement standards defined under § 200.1(d);

(2) Alternate assessments based on the academic achievement standards defined under § 200.1(c); and

(3) Regular assessments, including those administered with appropriate accommodations.

(C) Document that students with the most significant cognitive disabilities are, to the extent possible, included in the general curriculum and in assessments aligned with that curriculum;

(D) Develop, disseminate information on, and promote use of appropriate accommodations to increase the number of students with the most significant cognitive disabilities who are tested against grade-level academic achievement standards; and

(E) Ensure that regular and special education teachers and other appropriate staff know how to administer assessments, including making appropriate use of accommodations, for students with the most significant cognitive disabilities.

* * * * *

4. In § 200.13, revise the introductory text of paragraph (b) and paragraph (b)(1), redesignate paragraph (c) as paragraph (d), and add new paragraph (c) to read as follows:

200.13 Adequate yearly progress in general.

* * * * *

(b) A State must define adequate yearly progress, in accordance with §§ 200.14 through 200.20, in a manner that—

(1) Applies the same high standards of academic achievement to all public school students in the State, except as provided in paragraph (c) of this section;

* * * * *

(c)(1) In calculating adequate yearly progress for schools, LEAs, and the State, a State—

(i) Must, consistent with § 200.7(a), include the scores of all students with disabilities, even those with the most significant cognitive disabilities; but

(ii) May include the proficient and advanced scores of students with the most significant cognitive disabilities based on the alternate academic achievement standards in § 200.1(d), provided that the number of those students who score at the proficient or advanced level on those alternate achievement standards at the LEA and at the State levels, separately, does not exceed 1.0 percent of all students in the grades assessed in reading/language arts and in mathematics.

(2) An SEA may request from the Secretary an exception permitting it to exceed the 1.0 percent cap. The Secretary will consider granting, for a specified period of time, an exception to a State if the following conditions are met:

(i) The SEA documents that the incidence of students with the most significant cognitive disabilities exceeds 1.0 percent of all students in the grades assessed.

(ii) The SEA explains why the incidence of such students exceeds 1.0 percent of all students in the combined grades assessed, such as school, community, or health programs in the State that have drawn large numbers of families of students with the most significant cognitive disabilities, or such a small overall student population that it would take only a very few students with such disabilities to exceed the 1.0 percent cap.

(iii) The SEA documents that it is fully and effectively addressing the requirements of § 200.6(a)(2)(iii).

(3)(i) A State may grant an exception to an LEA permitting it to exceed the 1.0 percent cap in paragraph (c)(1) of this section only if the State evaluates the LEA's request using conditions consistent with paragraph (c)(2) of this section.

(ii) The State must review regularly whether an LEA's exception to the 1.0 percent cap is still warranted.

(4) In calculating adequate yearly progress, if the percentage of proficient and advanced scores based on alternate academic achievement standards under § 200.1(d) exceeds the caps in paragraph (c)(1) through (3) of this section at the State or LEA level, the State must do the following:

(i) Consistent with § 200.7(a), include all scores of students with the most significant cognitive disabilities.

(ii) Count as non-proficient the proficient and advanced scores above the caps in paragraph (c)(1) through (3) of this section.

(iii) Determine which proficient scores to count as non-proficient in schools and LEAs responsible for students who take an alternate assessment based on alternate achievement standards.

(iv) Include those non-proficient scores in each applicable subgroup at the school, LEA and State level.

(v) Ensure that parents are informed of the actual academic achievement levels of their students with the most significant cognitive disabilities.

APPENDIX C: DIRECTIONS FOR SCHOOL DIVISION ALTERNATE ASSESSMENT APPEALS

WHICH SCORES MAY BE APPEALED:

- 1) Failing scores on any content area or portion of the assessment **based on an error**.

A failing score may be appealed if the school division review committee, after careful review of a copy of the student's Collection of Evidence, finds that an error in scoring has occurred. It is NOT appropriate to appeal a failing section or COE simply because the section or COE did not receive a passing score. **Examples** of failing scores that MAY be appealed based on an error are:

- A content area entry received a score of Needs Improvement (NI), upon examination of the division copy of the COE it is found that the Entry Cover Sheet for this content entry was placed in the wrong section of the binder and may have affected scoring.
- An entire COE receives a DNA code based on a missing required document (Administrator's Support Document, Parent Validation Letter, or Assurance for Compiling Collections of Evidence) and the division, upon review of the division copy of the COE, finds such documentation (dated prior to or on the date of submission).

- 2) NS ("Not Submitted") scores on any portion of the assessment.

Examples of Not Submitted scores that may be appealed are:

- A content area entry received a score of Not Submitted (NS) and the division copy of the COE contains an entry for that content area,
- NS scores may be appealed based on the school division finding that necessary documents, entries, or evidence for the section or complete COE were present, secure, and in the school division director of testing's possession prior to or on the date of submission.

TYPES OF APPEALS:

There is only one type of appeal to the Alternate Assessment:

- 1) An appeal to have the assessment rescored including a single entry or multiple entries.

WHO CAN INITIATE AN APPEAL:

- 1) Parents: For any student who has failed any assessment, the school division must inform the parent or legal guardian of his or her right to request an appeal of the Alternate Assessment score.
- 2) School Personnel: School personnel may initiate an appeal using an Appeal Form (attachment 1).

A copy of the request for appeal, regardless of source, should be attached to the file copy of the Appeal Form which is to be kept by the school division.

SCHOOL DIVISION REVIEW PROCEDURES:

All requests for an appeal of the Alternate Assessment score(s) must first be reviewed and approved by the school division. A review committee should be established with the division Special Education Program contact person as a standing member. The principal or designee of the school in which the student is enrolled must participate in the appeal process.

The division committee should review each request for an appeal. Requests should be considered only if there is evidence that the criteria for each type of appeal have been met. (See Criteria below.) Evidence may include teacher reports, academic records, or other indicators of student achievement or participation in the Collection of Evidence. Appeals approved by the school division should meet the criteria as noted in these sections, and a justification statement by the committee must accompany the appeal before further action. (See Appeal Form)

The school division may choose to accept or deny an appeal. An appeal request that is denied should not be forwarded to Questar or the Department of Education but should be kept on file by the division director of testing with all accompanying documentation.

CRITERIA

APPEALS TO RESCORE:

An appeal to rescore entry(ies) within a student's Collection of Evidence must be based on any of the following:

- 1) The entry(ies) in question was/were marked or labeled incorrectly by school personnel for the content area assessed.
- 2) The scoring of the entry(ies) in question was deemed by the school division review committee to be based on an error, or the entry should have received a passing score.
- 3) Scores of NS ("Not Submitted") may be appealed if there is evidence that the student submitted an entry or entries but received no score report.

When reviewing Collections of Evidence entries for rescoring, division review teams should keep in mind that entries have already been scored by two to three scorers, and a score of "Needs Improvement" does not necessarily warrant a rescore.

SUBMITTING APPEALS TO RESCORE:

School division-approved appeals to rescore should be sent directly to the Department of Education. Appeals must be received by the Department within 30 days after division receipt of score reports for processing the appeal. An Appeal Form must accompany each rescore request submitted to the Department of Education.

CHANGE TO SCORE REPORTS:

Changes to the Individual Student Profile report will be made only if the re-score of an appealed entry results in a passing score. Questar will change the Individual Student Profile report and student label and send them to the school division. Group results already reported will not be changed. You will receive notice of any appeal that does not result in a passing score; score reports will not change.

RETURNS OF COLLECTIONS OF EVIDENCE TO SCHOOL DIVISIONS:

Collections of Evidence will be shipped to your school division 45 days after you have received your score reports. Collections of Evidence being appealed will be returned to the school division after the appeal has been resolved.

FURTHER INFORMATION OR QUESTIONS:

If there are questions concerning the appeal process, the division director of testing should address these questions to Assessment and Reporting, Alternate Assessment, Virginia Department of Education, Box 2120, Richmond, Va. 23218-2060; telephone number (804) 225-3026.

COMPLETING THE APPEAL FORM:

- 1) Complete all information on the Appeal Form except the Collection ID number. This information will be completed by the Division of Assessment and Reporting should the appeal request be granted and the appeal forwarded to Questar for rescoring.
- 2) Check ONLY one box that indicates the Request for Rescore. Remember, simply wanting a reconsideration of scoring is not sufficient to warrant an appeal. Rescoring must be based on an error or omission.
- 3) Complete the Justification Statement. In the Justification Statement, be sure to include evidence or information that pertains only to the reason behind the appeal. It is not appropriate to write, "The student scored an 18 and we would request a rescoring of this section in hopes of scoring a 19." However, it would be appropriate to write, "This content area's total score was 18 with one dimension, Linkage to Standards, receiving a score point of 2. The review committee clearly sees a link between the assessed Individualized Education Program goal and the stated Standard of Learning and feels the Linkage to Standards section of the rubric was scored in error."
- 4) Sign and date the appeal form and fax it to the Division of Assessment and Reporting, (804) 371-8978.
- 5) Appeals MUST be received within 30 business days from the date your school division receives score reports.

COMMONWEALTH OF VIRGINIA
DEPARTMENT OF EDUCATION
P.O. BOX 2120
RICHMOND, VIRGINIA 23218-2120

Virginia Alternate Assessment
APPEAL FORM

Division:

Collection ID #:

School:

Testing Year:

Student name:

Gender:

Class:

DOB:

Grade:

(Check those that apply)

Request for Rescore:

- ☐ The entry(ies) in question was/were marked or labeled incorrectly by school personnel for the content area assessed.
- ☐ Scoring of the entry(ies) in question was deemed by the school division review committee to be in error, and/or the entry should have received a passing score.
- ☐ NS ("Not Submitted") – The student submitted an entry or entries but received no score report.

Justification Statement:

(To include evidence of criteria met and means for decision)

Signature	Position/Representing	Date

The school division may choose to accept or deny an appeal. An appeal request that is denied should **not** be forwarded to Questar or the Department of Education but should be kept on file by the Division Director of Testing with all accompanying documentation.

School division-approved appeals to rescore should be sent directly to the Department of Education. Appeals must be received by the Department of Education within 30 days after division receipt of score reports for processing the appeal. An Appeal Form must accompany each rescore request submitted to the Department of Education.

Mail division-approved appeals to:

**ASSESSMENT AND REPORTING
ALTERNATE ASSESSMENT APPEAL
DEPARTMENT OF EDUCATION
P.O. BOX 2120
RICHMOND, VIRGINIA 23218-2120**

APPENDIX D: DID NOT ASSESS (DNA) CODE DESCRIPTIONS FOR THE VIRGINIA ALTERNATE ASSESSMENT PROGRAM

DNA CODE	DESCRIPTION
1 = Absent	Absent for extended period of time during test administration (more than 20 instructional days).
4 = Medical Emergency	Unable to take the test due to a medical emergency.
5 = Refusal	Parent or Student refusal.
8 = Student Not Enrolled at Time of Test	Student not enrolled at time of test. Student does not have a current IEP or not enrolled in an assessed grade level.
9 = Previously Passed	Student previously passed content area(s).

APPENDIX E: REQUIRED VAAP FORMS

Administrator's Support Documentation

Date:

Dear _____,
Teacher's Name

I have reviewed the components and entries of _____'s
Student's Name
Collection of Evidence and approve of submission for scoring.

Comments:

Signature of Building Administrator

Title

School

NOTE: Administrators should note any extenuating circumstances related to this Collection of Evidence on this document (i.e., extended medical absence, late transfer students, etc.).

ASSURANCE FOR COMPILING COLLECTIONS OF EVIDENCE

Collection of Evidence Ownership

Students must have primary ownership of their Collections of Evidence. **At no time should a student's Collection of Evidence performance be characterized as teacher, peer, or parent authored.** Teachers, parents, and peers may assume support roles as supporters, listeners, responders, and encouragers.

In addition to ownership, the following cautions were avoided in assisting this student in developing this Collection of Evidence. In assembling this Collection of Evidence, I did not:

- Fabricate, alter, or modify student work samples, products, or data.
- Describe student behaviors that provide a negative image of the student.
- Include student performance information that is of a personal nature (i.e., toileting or bathing).
- Provide any accommodation/assistive device that is not a regular part of the student's daily instruction.

I have reviewed, understand, and followed the Assurance for Compiling Collections of Evidence for the Virginia Alternate Assessment Program.

Signature of Teacher

Date

NOTE: Violation of any of the above Assurances for Compiling Collections of Evidence may result in the Collection of Evidence being un-scored and could necessitate further actions or consequences.

PARENT VALIDATION LETTER

Date:

RE: Collection of Evidence for _____
Student's Name

Dear _____:
Teacher's Name

I have reviewed the contents of this Collection of Evidence and agree that the entries are his/her work.

Comments:

Parent's Signature

Parent's Signature

Parent Contact Log

NOTE: Only required if Parent was unable to sign Parent Validation Letter.

Please submit this Parent Contact Log with an unsigned Parent Validation Letter if you are **unable** to make contact with parents and obtain signatures on the validation letter!

Parent Contact Log

Attempt to Contact	Date/Time	Type of Contact
<i>1</i>		
<i>2</i>		
<i>3</i>		

You **MUST** document at least three attempts to contact the parent(s) for the submitting student. Please log those contacts using this form. In the “Type of Contact” column, please indicate the method used to contact the parent(s) (i.e., phone call, letter home, faxed letter, etc.).

A parent may refuse participation for a submitting student. If this occurs, a parent contact log will NOT substitute for consent to have the COE scored. Submit only a Student Demographic Information Sheet (Questar will provide these to your division in mid-February) for a student whose parents have refused participation (DO NOT submit the COE for scoring). Please contact the Division of Assessment and Reporting for further information at (804) 225-3026.

